Background Studies Division
Office of Inspector General

Improving Minnesota’s Background Study System
Agenda

Presentation goals

Agenda

• Introduction
• What is staying the same
• Why changes
• What is NETStudy 2.0
• When is this happening

Questions
Background and Statistics

- Multiple provider types and individuals are required to have background study
- More than 270,000 background study determinations completed annually
- 1,200 studies/day
- 85% receive a clearance in 24-48 hours
- 15% of studies require additional research or action
- Nearly 7,000 disqualifications were issued in 2013
Who Needs a Study

DHS, MDH and certain DOC licensed programs

License applicants and people who provide direct contact services:

– Adult Foster Care
– Intensive residential treatment
– Home and community-based waiver
– Intermediate care facilities
– Semi-independent living services
– Day training and habilitation services

(Continued)
Who Needs a Study…cont.

– Child care centers and in-home child care
– Children’s residential services
– Chemical dependency treatment, mental health treatment, and sex offender treatment
– Hospitals
– Home health agencies, including hospice programs

(Continued)
Who Needs a Study – Continued

– Supplemental nursing services agencies that provide or procure temporary employment in health care facilities
– Temporary employment agencies
– Nursing facilities – Background studies are required of all nursing facility staff
– Child Foster Care (CFC)

(Continued)
Who Needs a Study…more

– Personal Care Assistants (PCAs)
– Guardians and Conservators
– Guardians ad Litem
– Prospective adoptive parents and certain household members
  • Each prospective adoptive parent
  • Each person over the age of 13 living in the prospective adoptive home
Not Changing

• Who is required to have a study
• When a study is needed
• When an FBI record check is required
• What results in a disqualification
• When set asides and variances are granted

(Continued)
Not Changing…cont.

• Which appeal rights apply and who reviews them
• How subjects are informed of determinations
• How substantiated maltreatment findings are obtained
• What fees apply to background study requests
Why change is needed

1. Determinations are repeated
2. Manual identification of false positive results
3. Notices and determinations are mailed to providers
4. Missed state criminal history information
5. Chain of custody concerns with fingerprint cards
6. Identity verification

(continued)
7. Reliance on reporting of new criminal history
8. Complicated requirements to share studies across programs
9. Manual processes for providers and DHS
10. Missed criminal records from other states
Grant Opportunity

- Awarded in 2012
- Federal Department of Health and Human Services
- Improved client / consumer protection
- Focused on long term care
- Changes apply to all providers
NETStudy 2.0

- Rosters
- Fingerprints and Photo
- Rap Back
NETStudy 2.0 Information

• New system that supports the changes

• The Provider Portal
  – Initiate studies
  – Track progress of studies
  – Receive communication from DHS

• DHS’s Determination System
NETStudy 2.0 Benefits

• Improved controls on data access

• User delegations and work flows

• Providers will confirm or authorize the first NETStudy 2.0 users
  – License holder and Sensitive Information Form
Provider Tracking and Workflow
Initiating a Study

Background that may be transferred
If the background study subject’s Social Security Number is provided and the person has a cleared background study the person may be added to the entity’s active roster provided that the background study:

- applies to the position that the person will hold; and
- included fingerprints and photo of the person

If not, a new background study determination is required.

Confirmation of Privacy Notice
Prior to initiating a background study each study subject must be provided with the Department of Human Services (DHS) Privacy Notice as required in Minnesota Statutes, chapter 13.

By selecting ACCEPT I attest that I provided the background studies subjects listed below a copy of the DHS Privacy Notice.

☐ Accept
Initiating a Study…cont.

Initiate Study

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![Accept Button]

* Provider: [Field]
  * First Name: [Field]
  * Last Name: [Field]
  * Date of Birth: [Field]
  * SSN: [Field]

Add Applicant

Applicants

michelle.hassler
Initiating a Study…cont.

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Accept

Provider: Nursing Home 4
First Name:
Last Name:
Date of Birth:
SSN:

Applicants

<table>
<thead>
<tr>
<th>Name</th>
<th>Date of Birth</th>
<th>SSN</th>
<th>Fee</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Smith</td>
<td>07/07/1982</td>
<td>$0.00</td>
<td>Remove</td>
<td></td>
</tr>
</tbody>
</table>

Add Applicant

Initiate Study

michelle hassler
Data Protections

- DHS and BCA will not retain fingerprints (but DHS will keep the photo on file)
- Individuals can request the destruction of their data. There are also schedules for the automatic destruction of data
- Automatic notifications to subject of who requested a study
- Subjects can request report on who requested all studies

(Continued)
Data Protections Included

• Robust IT system encryption and security that meets BCA, DHS, MN.IT, and FBI requirements.

• All participants in the system (including DHS, BCA, fingerprint vendor, and providers) are subject to the Minnesota Data Practices Act and civil penalties detailed within it.
Fingerprints and Photo

NETStudy 2.0

Rosters

Fingerprints and Photo

Rap Back
Fingerprints and Photo

Current System

Determination is made with name and date of birth

John Smith
1/1/1987

NETStudy 2.0

Determination is made with fingerprints
Elimination of False Positive “hits”

Current System

- No Criminal or Abuse/Neglect Records Associated with that Name/DOB, Automatically Cleared 85%
- Criminal and/or Abuse/Neglect Record Match, Disqualified 7%
- Similar Names and/or Records That Might Disqualify, Then Cleared 8%

NETStudy 2.0

- No Matches Based on Fingerprint: 93%
- First Study: - 1 to 2 days
- Subsequent Studies: - Instant

Disqualified 7%
Required Fingerprint-based Background Studies

NOTES:
Includes Certain Human Services/Long Term Care Services and Staff in Child Care Centers
Roster Purpose

Current System
Determination is tied to employer

NETStudy 2.0
Determination is tied to individual
Roster Functions

• Rosters are a list of all staff
• Displays determination status
• Allows employees to be away for more than 120 days without needing a new study
• Permits individuals to self-initiate a study
• Provides basis for Rap Back
Current Information Sources

Used to currently complete determinations

- Vulnerable Adult Maltreatment Findings
- Child Maltreatment Findings
- Minnesota Criminal History (BCA)
- Limited FBI Authority
NETStudy 2.0 Information Sources

Used to currently complete determinations

Additional sources used to complete determinations in NETStudy 2.0

*Other Public Data Impacting Employment Eligibility
NETStudy 2.0

- Rosters
- Fingerprints and Photo
- Rap Back
Planned Implementation Timeline

September 2012 forward
- System planning, design, and refinement
- Stakeholder meetings input and feedback

July 2014 through December 2014
- Pilot testing of NETStudy 2.0

August through December 2014
- Training and support materials

Fall 2014
- Statewide fingerprint service established

(Continued)
Planned Implementation Timeline

- January through April 2015
  - Transition of health and human service, and child care providers to the NETStudy 2.0 system
  - Use of fingerprints and photographs
  - Hire people with cleared background study immediately
  - Self-initiate a background study
Increase Accuracy = Improved Outcomes

- Children and Vulnerable Adults
- Employers
- Employees
- DHS

- Increased Protection
  - No-missed records
  - Updated records

- Faster Hiring Process
  - Faster studies
  - Other employment eligibility data available

- One Determination
  - Immediately employable
  - Initiate own study

- Streamlined Process
  - Increased efficiency
Closing

• Pilot testing is underway and will be expanded
• Stakeholder meetings scheduled and feedback welcomed
• Information on the DHS website
• Training materials are coming soon
For More Information

- Online: MN DHS Background Studies website
- DHSBackgroundStudyGrant@state.mn.us
- Phone  Michelle Long, 651-431-6711
  Background Study Project Coordinator